

REMARKS

Claims 1-21 are pending. Applicant has amended the claims to more distinctly point out features of the invention and to correct informalities. Claims 9, 10, and 21 have been cancelled without prejudice. No new matter has been added. Applicant respectfully requests reconsideration and withdrawal of the rejections to the claims.

Correction of Informalities

Claim 1 has been amended to corrected informalities cited by the Examiner.

§102 Rejections

Claims 1 was rejected under 35 USC 102 as anticipated by Minko (US Pat 5,963,551, hereinafter Minko).

Minko is directed to a system and method for dynamically reconfigurable packet transmission and teaches a technique for packet switching. However, Minko does not teach or suggest 'an internet telephone communication system comprising a voice receiving part receiving a first set of voice data packets through an internet network and sending a retransmission frequency information packet requesting to retransmit a same set of voice data packets R times, R being a retransmission frequency and being determined based on a data loss rate of said first set of voice data packets received...wherein the data loss rate is determined by a ratio of a difference between a number of data packets supposed to be received and a number of data packets actually received to the number of data packets supposed to be received, with respect to a certain time interval', as required by amended claim 1. Therefore, Minko does not teach all the claimed elements of amended claim 1, as required for a rejection under 35 USC 102. Thus, claim 1 is allowable. Amended independent claims 2, 8, 11, and 14 incorporate similar limitations as claim 1, in that claim 1 recites a ratio in words that is similar to the formula recited in claims 2, 8, 11, and 14. Therefore, claims 2, 8, 11, and 14 are also allowable.

Allowable Subject Matter

Claims 2, 3, 8, 11, 12, and 21 were objected to but would be allowable if rewritten in independent form.

The limitations of previous claim 1 have been incorporated into amended claim 2. Therefore, amended claim 2 is allowable, because it is allowable subject matter as defined by the Examiner and has been rewritten in independent form, pursuant to the Examiner's instructions. Moreover, since claim 2 is allowable, claims 3, 4, 5, 6, and 7 are also allowable by virtue of their dependency on claim 2. Additionally, claims 3, 4, 5, 6, and 7 are allowable because they each recite independently patentable features not taught or suggested by the cited reference.

Additionally, the limitations of previous claim 1 have been incorporated into amended claim 8. Therefore, amended claim 8 is allowable, because it is allowable subject matter as defined by the Examiner and has been rewritten in independent form, pursuant to the Examiner's instructions.

Furthermore, the limitations of previous claims 1, 9, and 10 have been incorporated into amended claim 11. Therefore, amended claim 11 is allowable, because it is allowable subject matter as defined by the Examiner and has been rewritten in independent form, pursuant to the Examiner's instructions. Moreover, since claim 11 is allowable, claims 12 and 13 are also allowable by virtue of their dependency on claim 11. Additionally, claims 12 and 13 are allowable because they each recite independently patentable features not taught or suggested by the cited reference.

Additionally, the limitations of previous claim 21 have been incorporated into amended claim 14. Therefore, amended claim 14 is allowable, because it is allowable subject matter as defined by the Examiner. Moreover, since claim 14 is allowable, claims 15, 16, 17, 18, 19, and 20 are also allowable by virtue of their dependency on claim 14. Additionally, claims 15, 16, 17, 18, 19, and 20 are allowable because they each recite independently patentable features not taught or suggested by the cited reference.

§103 Rejections

Claims 4, 9, 10, and 13 were rejected under 35 USC 103 as unpatentable over Minko in view of Fukushima (US Pat. 5,587,985, hereinafter Fukushima). As stated above, claims 9 and 10 have been cancelled.

The deficiencies of Minko are set forth above under the §102 discussion. Fukushima is directed to a signal processing device for an optical information reproducing apparatus. As such, Fukushima does not cure the deficiencies of Minko and the combination of Minko and

Fukushima does not teach all the elements of amended claims 2 and 11. Claims 4 and 13 are therefore allowable over the cited references by virtue of their dependency on allowable claims 2 and 11 (see MPEP 2143.03 ‘If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious’). Claims 4 and 13 are also allowable because they each recite independently patentable features not taught or suggested by the cited references, either alone or in combination.

Claims 5, 6, and 7 were rejected under 35 USC 103 as unpatentable over Minko in view of Hamiti (US Pat. 6,751,209, hereinafter Hamiti).

The deficiencies of Minko are set forth above under the §102 discussion. Hamiti is directed to header compression in real time service. As such, Hamiti does not cure the deficiencies of Minko and the combination of Minko and Hamiti does not teach all the elements of amended claims 2. Claims 5, 6, and 7 are therefore allowable over the cited references by virtue of their dependency on allowable claim 2 (see MPEP 2143.03 ‘If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious’). Claims 5, 6, and 7 are also allowable because they each recite independently patentable features not taught or suggested by the cited references, either alone or in combination.

Claims 14, 15, 16, 17, and 18 were rejected under 35 USC 103 as unpatentable over Minko in view of Nguyen (US Pat. 5,442,637, hereinafter Nguyen).

The deficiencies of Minko are set forth above under the §102 discussion. Nguyen is directed to reducing the complexities of the transmission control protocol for a high-speed networking environment. As such, Nguyen does not cure the deficiencies of Minko and the combination of Minko and Nguyen does not teach all the elements of amended claim 14. Claims 15, 16, 17, and 18 are therefore allowable over the cited references by virtue of their dependency on allowable claim 14 (see MPEP 2143.03 ‘If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious’). Claims 15, 16, 17, and 18 are also allowable because they each recite independently patentable features not taught or suggested by the cited references, either alone or in combination.

Claim 19 was rejected under 35 USC 103 as unpatentable over Minko in view of Nguyen and Fukushima.

The deficiencies of Minko, Nguyen, and Fukushima are set forth above under the §102 and §103 discussions. As such, the combination of Minko, Nguyen, and Fukushima does not

teach all the elements of amended claim 14. Claim 19 is therefore allowable over the cited references by virtue of its dependency on allowable claim 14 (see MPEP 2143.03 'If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious'). Claim 19 is also allowable because it recites independently patentable features not taught or suggested by the cited references, either alone or in combination.

Claim 20 was rejected under 35 USC 103 as unpatentable over Minko in view of Nguyen and Hamiti.

The deficiencies of Minko, Nguyen, and Hamiti are set forth above under the §102 and §103 discussions. As such, the combination of Minko, Nguyen, and Hamiti does not teach all the elements of amended claim 14. Claim 20 is therefore allowable over the cited references by virtue of its dependency on allowable claim 14 (see MPEP 2143.03 'If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious'). Claim 20 is also allowable because it recites independently patentable features not taught or suggested by the cited references, either alone or in combination.

Conclusion

Applicant respectfully requests that the Examiner reconsider and withdraw the claim rejections, and issue a notice of allowance. No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have expressly argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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